REMARKS

This amendment is being filed in response to the Office Action dated February 1, 2008. For the following reasons, this application should be considered in condition for allowance and the case passed to issue.

Drawings

The drawings were objected to as failing to comply with 37 C.F.R. §1.84(p)(5) because they allegedly included reference characters not mentioned in the description: 216, 218 and 310. It is respectfully noted that reference numeral 216 was specifically mentioned in the description at paragraph [26], the end of the paragraph. Step 218 was specifically mentioned in the specification at paragraph [27] at the end of line 1 in that paragraph. The reference numeral 310 was not mentioned, but the step was described in paragraph [28]. This step has been provided with reference numeral 310 in the amendment to that paragraph. Such a change to paragraph [28] does not add new matter to the specification. Reconsideration and withdrawal of the objections to the drawings are respectfully requested.

Specification

The Abstract of the Disclosure was objected to as beginning with a paragraph number. This has been corrected so that the objection to the specification should be withdrawn.

Claim Rejections – 35 U.S.C. §112

The rejection of claim 10 under 35 U.S.C. §112, first paragraph, has been obviated by the cancellation of this claim.

Claim Rejections – 35 U.S.C. §103

Claims 1-3 and 5-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lindoerfer in view of Aram. Claim 4 was rejected under 35 U.S.C. §103(a) as being

unpatentable over Lindoerfer and Aram and further in view of Kureshy. These rejections are hereby traversed and reconsideration and withdrawal thereof are respectfully requested. The following is a comparison of the present invention as claimed with the applied references.

As provided in claim 1, for example, embodiments of the claimed invention relate to a computer-implemented method of managing supplying of parts between a logistics provider and a manufacturer. This method comprises the steps of automatically detecting usage of parts on a product line, and automatically triggering a part pull request signal as a function of the detected usage. The part pull request signal is automatically translated to a shipping order. This shipping order is forwarded over a public data network from the manufacturer to the logistics provider at a different geographic location than the manufacturer. A picking list is automatically generated based on the part pull request signal and the shipping order. Delivery information to the manufacturer is automatically generated based on the picking list. This combination of features is not shown or suggested by the references, either alone or in combination.

Lindoerfer relates to a method and system for supplier relationship management that provides an inter-enterprise business application or supplier relationship management system. Among other claimed features, the Examiner relied upon Lindoerfer as describing and showing the step of automatically generating delivery information to the manufacturer based on the picking list. For support, the Examiner cited claim 4 and paragraph [0094]. It's respectfully submitted that these sections do not show or suggest the method step of automatically generating delivery information to the manufacturer based on the picking list.

In particular, claim 4 of Lindoerfer states that the supply chain data includes product specification information and delivery information. The Examiner considered that the product specification information corresponds to the picking list and that this list is available to

manufacturers. However, Lindoerfer is unclear as to the definition of product specification information, since this is the only use of the term "product specification information" throughout the entire document. Hence, one of ordinary skill in the art would not understand the "product specification information" to be the same as a picking list. Instead, one would understand that information regarding product specification is exactly that --information regarding specifications on a product--. One would not understand that it relates or corresponds to a picking list.

Furthermore, even if the product specification information were to be considered to be a picking list, the Examiner has not pointed to any disclosure or suggestion in Lindoerfer that the delivery information to the manufacturer is automatically generated based on the picking list. The supply chain data including delivery information does not show or suggest the automatic generation of delivery information based on a picking list.

There is no allegation in the Office Action that Aram supplies this missing feature, which is not present in Lindoerfer. Aram, which relates to an electronic procurement system, is not said to automatically generate delivery information to a manufacturer based on the picking list. Hence, even if combined with Lindoerfer, the combination of Aram and Lindoerfer fails to show or suggest independent claim 1 or claim 11. Further, those claims dependent from claim 1 or claim 11 further define and limit these claims. Accordingly, these claims also should also be considered allowable since they inherit the patentability of independent claims 1 and 11.

Claim 20 was rejected based on a combination of Lindoerfer, Aram and Kureshy. It is respectfully submitted that Kureshy fails to overcome any of the deficiencies noted with respect to Lindoerfer and Aram. Hence, even if combined, the combination of Lindoerfer, Aram and Kureshy fails to make obvious dependent claim 4 from which depends from claim 1. Reconsideration and withdrawal of the rejection of claim 4 are also respectfully requested.

Claim 20 is an independent claim cast in means -plus- function format. Accordingly, in order to determine the patentability thereof, identical functions must first be found in the references, followed by the determination that the structures disclosed in the cited art are structurally equivalent to the structures disclosed to achieve the claimed functions in the claims. There is no such analysis in the rejection of claim 20 in the Office Action. There is no determination of identity of function followed by a comparison of the disclosed structures. Accordingly, the rejection of claim 20 under 35 U.S.C. §103(a) should be reconsidered and withdrawn.

In light of the amendments and remarks above, this application should be considered in condition for allowance and the case passed to issue. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

Application No.: 10/716,669

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,
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